

**MINUTES OF THE CITY COMMISSION MEETING  
SEPTEMBER 13, 2004**

The City of Leesburg Commission held a regular meeting Monday, September 13, 2004, in the Commission Chambers at City Hall. Mayor Knowles called the meeting to order at 5:30 p.m. with the following members present:

Commissioner John Christian  
Commissioner Bob Lovell  
Commissioner Ben Perry  
Commissioner Lewis Puckett  
Mayor David Knowles

City Manager (CM) Ron Stock was not present. Others present were Interim Deputy City Manager (IDCM) Lora Bailey, City Clerk (CC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

Pastor Danny Williams gave the invocation followed by the Pledge of Allegiance to the Flag.

**APPROVED CITY COMMISSION MINUTES OF THE REGULAR MEETING HELD  
AUGUST 23, 2004**

---

Commissioner Perry moved to approve the City Commission minutes of the regular meeting held August 23, 2004. Commissioner Lovell seconded the motion and it carried unanimously.

**PRESENTED SERVICE AWARDS**

Finance Director (FD) Bill Pfeilsticker presented service awards to Pat Mackey for thirty years in the Finance Department (Meter Readers); Virginia Samuels for thirty years in the Finance Department (Customer Service); Art Smith for thirty years in the Finance Department (Customer Service); Sean Stafford for fifteen years with the City of Leesburg (Data Entry); and Louis Saucier, Jr. for twenty years with the City of Leesburg (Meter Readers). Andrew Allen of the Purchasing Department was unavailable to receive his service award for fifteen years with the City of Leesburg. This will be rescheduled.

**CONSENT AGENDA:**

**PULLED RESOLUTION AUTHORIZING THE LETTER OF INTENT WITH FLORIDA  
GAS UTILITIES SUPPORTING AN AFFILIATION WITH PUBLIC GAS PARTNERS  
OF GEORGIA**

---

This item was pulled from the agenda for further review by the City Attorney.

**PUBLIC HEARINGS:**

**ADOPTED ORDINANCE 04-67 ACCEPTING AN UTILITY EASEMENT FROM  
CURTIS ROSS ALONG US HWY 441 NEAR MICHIGAN AVENUE AND MOUNT  
VERNON STREET**

---

CC Richardson read the ordinance by title only as follows:

## **MINUTES OF THE SEPTEMBER 13, 2004 CITY COMMISSION MEETING**

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Curtis Q. Ross, Jr., as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 6, Township 23 south, Range 26 east, Lake County, Florida; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-68 ACCEPTING AN UTILITY EASEMENT FROM IDA MORGAN AND DAYLE IRIS HART ALONG US HWY 441 NEAR JACKSON'S ADDITION TO NEWTON SUBDIVISION**

CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Ida M. Morgan and Dayle Iris Hart, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 25, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-69 ACCEPTING AN UTILITY EASEMENT FROM FLORIDA CONFERENCE, ASSOCIATION OF SEVENTH DAY ADVENTISTS ALONG TREADWAY SCHOOL ROAD**

CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Florida Conference, Association of Seventh Day Adventists, grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 14, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was as follows:

## **MINUTES OF THE SEPTEMBER 13, 2004 CITY COMMISSION MEETING**

Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-70 ACCEPTING AN UTILITY EASEMENT FROM ETHIRA J. RAMCHANDER AND SUMANTH PADMANABH ALONG NORTH BOULEVARD (US HWY 441)**

CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Ethira J. Ramchander and Sumanth Padmanabh as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 25, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

Commissioner Puckett moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-71 VACATING TRUMAN AVENUE AT LEESBURG HIGH SCHOOL**

CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, providing for the vacating of Truman Avenue, said property generally located at Leesburg High School, between Mission Way and Meadows Avenue, lying in Section 27, Township 19 south, Range 24 east; reserving utility easements over the area of the vacated street; providing for the vesting of title and conveyance of same to the abutting and contiguous property owners; and providing for an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea

## **MINUTES OF THE SEPTEMBER 13, 2004 CITY COMMISSION MEETING**

Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-72 VACATING MISSION WAY AT LEESBURG HIGH SCHOOL**

CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, providing for the vacating of Mission Way, said property generally located at Leesburg High School, west of U.S. Highway 27, and south of Meadows Avenue, lying in Section 27, Township 19 south, Range 24 east; reserving utility easements over the area of the vacated street; providing for the vesting of title and conveyance of same to the abutting and contiguous property owners; and providing for an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-73 AMENDING SECTIONS 4.16 (C) AND 4.16 (D) OF ORDINANCE 04-27 OF THE CITY OF LEESBURG LAND DEVELOPMENT CODE CREATING A CONTEMPORARY DESIGN OVERLAY DISTRICT AND A TRADITIONAL OVERLAY DISTRICT BOUNDARIES**

CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, amending Sections 4.16(C) and 4.16(D) of ordinance no. 04-27, of the City of Leesburg Land Development Code, creating Contemporary Design Overlay District (CDO) and Traditional Overlay Design District (TDO) boundaries; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

## **MINUTES OF THE SEPTEMBER 13, 2004 CITY COMMISSION MEETING**

### **ADOPTED ORDINANCE 04-74 AMENDING THE COMPREHENSIVE PLAN CHANGING THE FUTURE LAND USE MAP DESIGNATION OF 3.16 ACRES FROM I TO GC**

CC Richardson read the ordinance by title only, as follows:

An ordinance amending the comprehensive plan for the City of Leesburg, changing the future land use map designation of certain property containing 3.16 acres and generally located north of State Road 44, and east of County Road 468, lying in Sections 21 and 28, Township 19 south, Range 24 east, Lake County, Florida, from I (Industrial) to GC (General Commercial); and providing an effective date.

Commissioner Lovell moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Christian	Yea
Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-75 REZONING APPROXIMATELY 3.16 ACRES FROM M-1 TO C-3**

CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, rezoning approximately 3.16 acres generally located north of State Road 44 and east of County Road 468, lying in Sections 21 and 28, Township 19 south, Range 24 east, Lake County, Florida, from M-1 (Industrial) to C-3 (Highway Commercial); and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Lovell	Yea
Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **ADOPTED ORDINANCE 04-76 AMENDING THE 2003-04 BUDGET FOR THE GENERAL, CDBG, CAPITAL PROJECTS, COMMUNICATIONS, AND POLICE PENSION FUNDS**

CC Richardson read the ordinance by title only, as follows:

## **MINUTES OF THE SEPTEMBER 13, 2004 CITY COMMISSION MEETING**

An ordinance of the City Commission of the City of Leesburg, Florida amending the Fiscal Year 2003-04 budget for the General, CDBG, Capital Projects, Communications and Police Pension Funds and providing an effective date.

Commissioner Lovell moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was as follows:

Commissioner Perry	Yea
Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea
Mayor Knowles	Yea

Five yeas, no nays, the Commission adopted the ordinance.

### **INTRODUCED AN ORDINANCE ACCEPTING AN UTILITY EASEMENT FROM R. DEWEY BURNSED AND WALTER S. MCLIN, III FOR LAND IN HAMLET SUBDIVISION IN FRUITLAND PARK**

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from R. Dewey Burnsed and Walter S. McLin, III, as grantor to the City of Leesburg, as grantee, pertaining to land located in Section 10, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

### **INTRODUCED AN ORDINANCE VACATING MOSS STREET ADJACENT TO LEESBURG HIGH SCHOOL**

Commissioner Perry introduced the ordinance to be read, by title only. CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, providing for the vacating of Moss Street, said property generally located at Leesburg High School, lying in Section 27, Township 19 south, Range 24 east; reserving utility easements over the area of the vacated street; providing for the vesting of title and conveyance of same to the abutting and contiguous property owners; and providing for an effective date.

Commissioner Lovell stated this will make the neighborhood safer. He would like to see a cul-de-sac at the end of the street.

Community Development Director (CDD) Laura McElhanon stated this is the first part of this vacation. A separate instrument will be submitted stating a permanent cul-de-sac will be required as part of the conditions. The closing of Hayes Street is also being reviewed.

Commissioner Christian questioned if sidewalks were also being reviewed.

Gary Parker, director of facilities for the Lake County School System, stated there are sidewalks on both sides of the road from Hayes Street to the cul-de-sac. The intention is for this area to be a pedestrian way. The possibility of extending sidewalks can be reviewed.

## **MINUTES OF THE SEPTEMBER 13, 2004 CITY COMMISSION MEETING**

CDD McElhanon stated the ROW will need to be examined.

Commissioner Perry requested further information on this topic before the second reading of this ordinance.

### **INTRODUCED AN ORDINANCE REZONING APPROXIMATELY .25 ACRES WEST OF NINTH STREET AND NORTH OF DIXIE AVENUE FROM R-2 TO RP FOR ERICA GUENTHER**

Commissioner Perry introduced the ordinance to be read by title only. CC Richardson read the ordinance by title only, as follows:

An ordinance of the City of Leesburg, Florida, rezoning approximately .25 acres generally located west of Ninth Street and north of Dixie Avenue (State Road 44), lying in Section 26, Township 19 south, Range 24 east, Lake County, Florida, from R-2 (low density residential) to RP (residential/professional); and providing an effective date.

CDD McElhanon stated this is one of the newly created districts in the land development regulations.

#### **CITY ATTORNEY ITEMS:**

A. CA Morrison presented information on a Lake County Water Supply Initiative. He noted the use of Lake County water in other areas of the state is being reviewed. Also, the use of desalination plants outside of Lake County being used and water being piped back into Lake County is being discussed. CA Morrison stated various city managers and the county manager reviewed having St. Johns Water District perform a study. An interlocal agreement on what the study will cover will be drafted and presented to St. Johns Water District to determine how much the district will pay. Things are happening at the St. Johns Water District of which the cities were unaware. In order to keep a closer watch, a suggestion was made for the cities to pool resources and hire a full-time hydrologist. CA Morrison stated he wants to know if the City is interested in pursuing these ideas.

Commissioner Perry stated this is an excellent idea in order to protect Lake County's resources.

Commissioner Lovell stated he agrees with Commissioner Perry this is a good idea however, there are currently two agencies in Lake County that are supposed to be guarding the resources. He does not understand why those agencies are not involved. CA Morrison stated the scope of what those agencies do is slightly different then what this proposed initiative will do.

Commissioner Perry made the motion to move ahead with the action as described by CA Morrison with costs to be brought back to the Commission for approval. Commissioner Lovell seconded the motion. The roll call vote was as follows:

Commissioner Puckett	Yea
Commissioner Christian	Yea
Commissioner Lovell	Yea

## **MINUTES OF THE SEPTEMBER 13, 2004 CITY COMMISSION MEETING**

Commissioner Perry  
Mayor Knowles

Yea  
Yea

Five yeas, no nays, the Commission approved moving forward with the recommendation.

### **CITY MANAGER ITEMS:**

A. IDCM Bailey reminded everyone of the Budget Meeting this Thursday, September 16, 2004 at 5:05 p.m.

B. Leesburg Partnership requested a Study Session for October 4, 2004 to review the Library building plans prior to requesting the architect to prepare blueprints. The meeting will begin at 5:00 p.m. in the Commission room and should only last one hour. The Commission approved this study session.

C. IDCM Bailey gave a brief update on Hurricane Frances and on the work done by the Electric Department on restoring power and the Public Works Department on debris removal. She stated by the close of business on Wednesday, more than 99% of the customers were online with electricity; 100% of the customers had electricity by noon on Saturday.

Debris removal is much slower. The Public Works' crews have worked steadily through the week. Grubbs Construction is helping with the removal so normal routine items can be done by staff. Approximately 22% of the known debris has been removed. Staff is burning the debris at the City's landfill as it is more than what the incinerator can take.

The clean-up has been a team effort and all city employees have done an outstanding job. A formal proclamation is forthcoming.

Commissioner Lovell stated citizens need to be educated on the use of generators. Many are not using them properly. The Electric Department will not work on lines in a neighborhood where generators are being used due to safety reasons.

Mayor Knowles suggested an ordinance be prepared on the specifications and uses of generators within the City. FD Pfeilsticker stated this information is already in the State Electrical Code so an ordinance may not be necessary.

Commissioner Perry suggested putting this information in the monthly newsletter. This is a good place to report this information.

### **ROLL CALL:**

Commissioner Lovell - none

Commissioner Perry - none

Commissioner Puckett – stated the City was again extremely lucky and is ducking another bullet with Hurricane Ivan.

Commissioner Christian – none



**MINUTES OF THE SEPTEMBER 13, 2004 CITY COMMISSION MEETING**

---

Mayor Knowles – stated Lora Bailey did an excellent job as manager of the Emergency Operations Center. He stated it was wonderful to see all 477 employees of the City working together.

Commissioner Lovell moved to adjourn the meeting and Commissioner Perry seconded the motion. The meeting adjourned at 6:19 p.m.

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
*Diane Gibson Smith*  
Recorder

MINUTES 040913